



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/024,885	02/17/1998	DAVID ROTH	T1680CIP2	8884

7590 02/10/2004

Marc C Van Ness
Blakely Sokoloff Taylor & Zafman
12400 Wilshire Blvd
Seventh Floor
Los Angeles, CA 90024

EXAMINER

ABRAMS, NEIL

ART UNIT	PAPER NUMBER
----------	--------------

2839

DATE MAILED: 02/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/024,885

Applicant(s)

ROTH ET AL.

Examiner

Neil Abrams

Art Unit

2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11-7-03
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) _____ is/are pending in the application. 80-85, 94, 117-126, 128, 133-163
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) _____ is/are rejected. 80-85, 94, 117, 126, 133-140, 144-163
- 7) ☒ Claim(s) _____ is/are objected to. 128, 141-143
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Art Unit: 2839

Note that claims of this case must be directed to elected embodiments of Figs. 22-25.

For any rejection below, if applicant urges benefit of filing dates of any parent case applicant is asked to point out by Fig no. the exact earlier disclosure relied upon. Note that none of parent cases disclose the same embodiment as those of Figs. 22-25 of this case.

Claim 80-85, 94, 117-123 and 133-140 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aldous 404 in view of Siemon, Hardesty, Clarck and RD.

For claims 80, 133, 139, Aldous, Fig. 8 shows a system with a card body 40, but does not include a receptacle module for insertion into the card body. However it is known to use adapters like those of RD, Clarck and Hardesty. It would have been obvious to use such an adapter with the Aldous card 40 to provide added functions or a mating direction change. Recitation of overall length should not avoid the rejection. It would have been obvious to shorten the length of card 40 if to be used with less circuitry or if miniaturization were important. The adapters could also be formed of very small size. Nor have the dimensions being recited been clearly pointed out in arguments. Nor has importance of the within PCMCLA type III standard been pointed out. Also note that arguments are not directed to the Fig. 8 embodiment applied in last office action. Arguments also refer to "depth" but claim limitations are to "length". Dependent claim met by above combination and do not appear to be at issue.

Claim 124-126 and 150-156 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aldous 404 in view of Okada 268.

Art Unit: 2839

Aldous Figs. 10, 11, 20 discloses a card body with a sliding drawer 72 having a recess 86 for a RJ plug. The system does not include a movable bottom that provides shielding. Okada Fig. 5, show a card recess with a movable bottom 18 that provide sealing for plug contacts adjacent to wires 24. It would have been obvious to use such a movable bottom in the Aldous card. This would provide a stop for the plug and would also add a degree of environment sealing for the plug contacts shown, Fig. 20 at lead line 130. Dependent claim are also met by the reference as applied above.

These claims are not seen to be in entitled to priority based on any of the parent cases since they do not disclose connectors with "movable bottoms" as the terms are used in this case.

Claim 144-149 and 157-163 are rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Kerklaan.

Kerklaan discloses a card 52 with pivoting covers 14, 16 that open to define a recess for a RJ plug, conductors 122a in the recess and a conductor 24 to carry a signal to a utilization device. The card is for use with a computer read as a data utilization device.

Should issues arise, also obvious to use the card with such a device as in typical in the art. For claims 145, 159, a pin 18 and a spring 84 are shown. Dependent claims 146, 148, 149, 160, 162, 163 relate to known features that do not appear to be at issue.

Claim 144-149, 157, 158, 160-163 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada 5538442, ^{For} ~~as~~ claims 144, 157, Okada, Figs. 14, 15 discloses a card with pivoting covers 31, 31 that open to form a recess to receive a plug, electrical conductors 8 in the

Art Unit: 2839

recess, the card being for use with a computer. For claim 144, Okada, Figs 16,18 are also applied with single pivotal cover 31. Conductors to convey the signals from contacts 8 to the utilization device are not shown, however such conductors would have to be added for the system to operate. Dependent claims do not appear to be at issue.

None of the parent cases as seen to provide clear support for claims 144-149, 157-163.

Claim 128 and 141-143 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The argument presented have been responded to above.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Application/Control Number: 09/024,885


Page 5

Art Unit: 2839

Any inquiry concerning this communication should be directed to N. Abrams at telephone number (703) 308-1729.

N ABRAMS/ac

01/28/04


NEIL ABRAMS
EXAMINER
ART UNIT 322